648 Political authorities have made no serious efforts to interfere with tribal migrations which follow the law of economic need. The governments stopped raiding, but not grazing.

With the establishment of public security, tribal movements have been facilitated where fears of attack may have prevented them before.[1]

Purpose of raiding, slavery and extortion as affecting Bedouin economy

721 Raids fulfilled a definite economic function in Bedouin
434 society. Especially in times of drought, the booty taken in raids constituted, according to the Bedouin way of thinking a welcome source of income. In reality, however, the desert people did not suffer a great economic loss from the stoppage of raiding. In speaking of raiding Major Glubb correctly states that "some become rich, some were ruined; there is a net loss on the whole."[2]

More significant was the economic loss incurred to the Bedouin when importation of slaves was outlawed.

434 The economic situation of the Bedouin on the whole was not
131 seriously affected by the establishment of political boundary lines and enforcement of public security. Economic adjustments were made within the pastoral economy where the decline of the demand for the camel made this necessary.

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1. However, in spite of the vigorous actions of the Saudi regime raiding in the Arabian Desert has not yet been completely stopped.
2. Glubb, 1935, p. 22

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had become a profitable cash crop and many sheikhs were induced to change from stock-breeding to cereal-growing which was more lucrative.[1] Not a declining desert economy, but the desire for money was the cause of the change.

After the revolution of 1908 the Young Turks re-affirmed the policy of settling the nomads on land. The Vali of Baghdad was instructed to formulate a scheme for the settlement of the tribes. 166X 622

The sheikhs were divided in their attitudes, a great number definitely hostile to the policy of the government, others, bought by gifts of land and titles, ready to co-operate.

The Young Turks, anxious to assert their exclusive political power and authority, had tried, whenever possible, to crush the influence of the powerful sheikhs. Hence their hostility to government-sponsored settlement schemes.

The British Mandatory Government was not concerned with settling the nomads. When the British came to Iraq, it became their avowed Bedouin policy to rebuild tribal organization under competent sheikhs. They set about to strengthen the power of the sheikhs whose authority over the tribesmen had been partially broken by the Young Turk administration. Landholdings of the tribal leaders were protected, large subsidies and tax exemptions granted. 648 166X

WHILE BRITISH TRIBAL POLICE WAS RESTRICTED TO GIVING SUBSIDIES

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[1] Herzfeld, 1948, pp. 107 ff.

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648 unlimited powers abused more often than not, the process of seden-
X166 tarization took its course.

423 After the First World War very little of the tribal land was still communally held, its ownership having been claimed by individuals.[1] Land settlement in Iraq had resulted in the transfer of the tribal semi-collective landholdings to individual holdings of the sheikhs. This increased the inequality of land-ownership in favor of the leaders and at the expense of the members of the tribe.[2]

622 Since the early 1920's some of the Iraqi sheikhs have dis-
423 played a growing interest in settlement of their tribesmen. The
X166 Sheikhs Ali al-Suleiman and Muhsin al-Sa'dun were largely responsible for the restoration on scientific lines of the Saqlawiyah canal and thus making possible the Dulaymi development project which provided for the settlement of 2 000 tribesmen.[3]

X161 The new settlement of Dulaymiyah developed rapidly and proved
425 a success. An area which had been barren for centuries was re-
622 claimed and returned to cultivation. During the inter-war years the Iraqi local government distributed State land to individuals prepared to irrigate and cultivate it by installation of water pumps. Due to the cost involved, only the wealthy sheikhs could take advantage of the offer.

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1. Report, 1928, pp. 152-153
2. Hinnebusch, 1990; Hinnebusch, 1992, p. 275
3. Report, 1920-32, p. 20

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Their already substantial landholdings were thus considerably increased. 423 622

Neither the British Mandatory Authorities nor the Iraqi local government had in the 1920's a definite tribal settlement policy. 648 166 Whatever was undertaken in this direction like the Diliymiya project is attributable to the initiative of the tribal leaders.

The transformation which the tribal sheikhs have been undergoing during the past few decades can be best illustrated by a concrete case. Ajil al Jasar, the chief sheikh of the Shammar, had by the 1930's a variety of lucrative commercial interests. The government of Iraq and the Oil Companies appointed him to take over the protection of the wells and the pipelines. Besides, Ajil was charged with supplying laborers for railroad construction work. From these sources he received considerable income. The main part of his wealth, however, consists of real estate. Ajil inherited the lands near Talat Sharqat and Tabrik which Sultan Abdul Hamid had given to his grandfather Farhan as presents. In addition he acquired lands in the vicinity of Tell 'Afar, and also owns property in Baghdad and Mosul, as well as houses in Tell 'Afar and in the village Talat Sharqat.[1]

The case of Ajil al Jasar is typical for all the powerful chiefs of Iraq, who have become wealthy landlords whose estates are cultivated by fellahin. Where the tribesmen followed the examples of of their sheikhs and settled down, they became the exploited tenants

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1. Oppenheim, 1939, pp. 130 sq.

4 [i.e., THE WEALTHY SHEIKHS -- ANALYST]

68: Neubert S-4 (no date) 1952 M1 Middle East BEDOUINS MJ4

000 70 years.

186 X166 The nomad gradually accepts the fellah's mode of living, but for generations after sedentarization he still prides himself of his Bedouin origin. Albert de Bondonneau tells of two remarkable instances illustrating this tendency:[1]

1. The case of a lawyer in Beirut whose family has been settled for centuries. Consciously he does Bedouin attire to boast of his origin.
2. The case of the Bedouin emigrants to America who continue to pay the blood money with their brothers who have remained Bedouin.

CHAPTER III

The Bedouin Problem on the Agenda of the 1949 and 1950 United Nations Social Welfare Seminars for Arab States

*648 The Arab world is concerned with the problems of the nomadic population. At the United Nations Social Welfare Seminars conducted in 1949 at Beirut and in 1950 at Cairo, special committees were appointed to study the Bedouin problems and make recommendations for their solution.

648 S11 Poverty was recognized to be the crux of the Bedouin problem, ignorance, poor health, etc. the results.[2] The recommendations

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1. Bondonneau, 1936, pp. 140-143
2. El-Akhdary, 1950, p. 280

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which were submitted by the countries of both continents consists of two parts

a. provisions for settling tribes to an agricultural life

b. recommendations for raising the standard of living of those bands who will continue their pastoral mode of living.

Concerning settlement it was recognized that: 648 166[1]

a. it was the responsibility of the governments to sponsor such plans

b. agricultural experts should examine the agricultural potentialities

c. large capital to finance development schemes should be made available.[1]

To raise the standard of living in the desert it was recommended that:

a. centers to improve animal husbandry should be set up

b. more wells should be dug to expand pasture land

c. sheds should be erected to house animals during the cold winter months

d. mobile veterinary units should be established in Bedouin areas

e. teams of health officers should guide the tribes

f. educational facilities should be made accessible to the nomads.[2]

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1. El-Akhbar, 1950, pp. 280 – 285.
2. Ibid.

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361 The Committee of the first seminar recognized that, at the
652 present time, the financial provisions for the nomadic tribes
648 are relatively inadequate and submitted the recommendation that a higher percentage of the budget of each State should be allocated for the social and economic needs of the nomadic popula-
648 tion. 1) The same Committee recommended that:
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"the policy of the Arab States should aim at the settlement of a number of tribes by distributing them in the arable areas owned by the states and allotting small-holdings to individuals. In this connection the Committee refers to the existence especially in the Syrian Gezirah and Iraq, of extensive areas for the application of agricultural projects which should be based on the most up-to-date techniques of agriculture." 2)

CHAPTER XIII

361 ### Conclusions and Summary of the Settlement Problems

Nomadism has been chiefly responsible for the decline of agricultural prosperity in the Middle East.

361 The Bedouin tribes have always, through social and economic
166 assimilation, become absorbed by the settled population. The process of sedentarization, the gradual transition from the nomadic mode of life to a settled existence, is a sociological phenomenon, inseparably connected with the history of Bedouin migrations from the desert into the fertile lands on its borders. In the past few decades the pace of the evolutionary process of transition has been considerably quickened under the impact of economic, social and political stimuli, mutually interlocked and overlapping.

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1. UN Social Welfare Seminar, 1950, p. 36
2. Ibid., p. 37

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Responsible circles in the Arab world today pay due attention 648 166x to the problems of the nomad society, and from time to time constructive recommendations are voiced for the solution of the social and economic problems of the Bedouin element. For example, the First and Second United Nations Social Welfare Seminars for Arab States in the Middle East appointed Special Committees to discuss Bedouin problems and needs. The recommendations which were submitted to the plenary sessions aimed at the raising of the Bedouin standard of living by settling on land part of the tribal population and helping the remaining nomads improve their mode of existence in the desert.

During the last twenty years, particularly in the 1930's, programs for Bedouin settlement have been formulated in Iraq and in Syria. But there is no reference as to how much of the plans was actually carried out.[1] Where settlement has taken place, it was largely the private enterprise of the tribal sheikh. As the tribal land was usually registered in the name of the chief or leased to him by the government, practically all the members of the tribe have become upon settlement, the tenants or share-croppers on the estates of their leaders.

The sheikh-landlord has a personal economic interest in 648 166x developing his land holdings, but his policies are rarely con- 423 cerned with the welfare of his tribesmen. This is why the social 622

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1. Since no further reference was made to the plans in the ensuing years, the writer feels justified in assuming that the projects for Bedouin settlement remained on paper.

69: Meghart S-4 (no date) 1952 MI Middle East BEDOUINS MJ4
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welfare Seminar of 1950 continued against offering the tribal chiefs large stretches of land on which the mass of the tribesmen would become a class of agricultural labourers.[1]

APPENDIX

X166 178

Recommendations for the Formulation of Settlement Policies

There is a definite need for constructive government-sponsored settlement schemes.

It has been recognised that specific problems, presented by old but deeply rooted traditions, must be taken into consideration:[2]

a. the element of persuasion and education, the mental adjustment of the Bedouin to the new conditions. Projects of amelioration and irrigation or schemes of free land distribution may aid the fellah and the nomad, but it must be recognised that not all the Bedouin will abandon nomadic life voluntarily, even when offered free land. The traditional contempt for agricultural work must be counteracted by persuasion and education.

b. the need for introducing gradual changes. Successful sedentarization of the nomads cannot proceed more rapidly than their mental adjustment to the new conditions. Where the Bedouin are not gradually prepared for agricultural life, they will become landowners, but not cultivators. They will turn into "tent-dwellers who depend for their living on the rents paid by their fellaheen-tenants."[3]

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1. El-Chilaby, 1950, p. 280
2. Peliac, 1942
3. Ibid.

k Dickson G-6 (1929-47) 1951 MI 3 Kuwait
Bedouins MJ4

Border Cases

THE PRACTICAL APPLICATION OF THE CUSTOM OF 'ARAFA ON THE BORDERLAND BETWEEN TWO STATES

425 The application of the *'arafa* law becomes somewhat less easy when
●648 two tribes which are perhaps hostile to each other, or belong to differ-
649 ent states adjoining one another, are involved, or where strong Governments are functioning, as to-day in the case in Kuwait, Sa'udi Arabia and Iraq, and where border officials are interested in seeing that shaikhs and individual members of tribes in their areas do not raid, steal or take the law into their own hands, especially across the border.

In such cases, while the custom of *'arafa* is quite well understood, it is essential that a controlling authority enforce the rules of the game, otherwise nothing is done. The Shaikh of Kuwait put it in a nutshell, when he told me that the law of *'arafa* was a most excellent law for settling Badawin disputes, and it dated back to very ancient times, but unless Rulers or Governments were strong enough to enforce it within or across their borders it became quite useless, for then as always the strongest won the day. A Badawin, for instance, in the case mentioned below, would never hand over the camel he had purchased unless he was made to do so by his Government acting through its officials on the spot.

425 "A", a subject of some state, finds a camel which has been stolen
[674] from him in the past, grazing in the desert with "B's" camels (a sub-
695 ject of another state). "A's" and "B's" tribes are not on friendly terms.
696 "A" does not waste his time in going and demanding it from "B", who quite naturally will refuse to give it up until made to do so. He goes instead to the nearest *Hákim* or Government representative in the particular area "B" is in, armed with a letter from his own frontier officer. (To-day in North-East Arabia it is Hamud al Baga'awi for Sa'udi Arabia, 'Abdullah bin Jabir for Kuwait, and the Iraqi Officer in Charge Southern Desert Police for Iraq), and will say that "B" has in his possession a certain camel which has been stolen from him, "A". The officer in charge of the area in question will send for "B" and in his presence will ask "A" to prove his claim. Here is where the Shari'a law comes in as practised in the desert. "A" can

h Dickson G-5 (1929-47) 1951 MI I Kuwait
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prove his claim in two ways, (*a*) either by producing two witnesses who will corroborate his testimony that the camel was his property, and that he had neither sold nor given it away, or (*b*) "A" can produce one witness who must declare *on oath* that the camel belongs to "A" and that it was neither sold nor given away by him. 425 695 696

"B" can also if he likes insist that "A" states the same thing on oath, but this is not actually necessary, according to the law.

One or other of these courses having been followed, the Government officer in charge of the area in question does not even ask how "B" got the camel, but on the above evidence must order "B" to hand over the animal at once.

If "B" has stolen the camel himself, he will of course gladly hand over and hope "A" will not bring further witness proving that he stole it.

If, however, "B" has innocently bought the camel from say "C", then he can be counted upon to shout this fact from the housetops (this in spite of the fact that a rather dead order exists both in Sa'udi Arabia and Kuwait to-day, which forbids a man buying a camel till the seller can satisfactorily prove that it has not been stolen). The officer dealing with the case will then proceed as follows: He must ask who the seller "C" was and where he can be found. When "B" has told him, "C" will be summoned, and in the presence of "C" "B" will have to produce two witnesses to testify that he bought the camel from "C" (or one witness to take oath). When "B" has done this to the satisfaction of the officer, the latter makes "C" pay the purchase money back to "B". If "C" claims to have bought the camel from "D", the officer will adopt the same procedure, working backwards till the original thief is found, who then is suitably punished.

The above method of settlement becomes somewhat more complicated if individuals concerned are subjects of different states. For instance, should "A" be a Kuwaiti, "B" be an Iraqi and "C" a Najdi, the procedure is the same, only three *Hákims* or frontier officers have to be brought in. For instance, "A" will go to the Shaikh of Kuwait, who will send him armed with a letter (usually also with a letter from the Political Agent) to the Inspecting Officer or Com- 425 448 694 695 641

h Dickson G-6 (1939-47) 1951 MI 1 Kuwait MI1
Saudi Arabia MI1
Time Limit

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mandant of Police Southern Desert area where "B" resides. That official will take action on the letter, and if proofs are clear will hand back the camel to "A". He will then send "B" with a letter direct to al Baga'awi, or such other Najd official as may be in charge of Sa'udi Arabian frontier affairs opposite Iraq and Kuwait, together with "B's" witnesses. Al Baga'awi will then get "B's" rights from "C" and so on. In conclusion, the easy working of the *'urfa* system along a frontier obviously depends on four things:

(*a*) that friendly relations exist between the Governments involved;

[613]

(*b*) that officers are placed in charge of frontier areas, and that their writ goes;

(*c*) that such local officials are empowered to deal direct with each other without having to refer to higher authority: this especially applies to smaller claims of tribesmen on both sides of the border. (Important cases would of course be referred to Central Governments.)

(*d*) That the Shari'a law, recognised by the Badawin of the desert, and not any form of civil code, be applied in deciding *'urfa* questions, especially where oaths are concerned.

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Between 1929 and 1930 Captain Glubb, R.E., at one time in charge of the Iraq Southern Desert area, and I in my capacity of Political Agent, Kuwait, frequently dealt direct with each other in questions of claims between Iraq and Kuwait tribesmen, and we settled many cases on the above lines, everyone being satisfied and accepting settlement cheerfully. During the same period matters were not so easy where Kuwait and Sa'udi Arabia tribes were concerned, because (*a*) relations unfortunately were not good, and (*b*) no official of officer status existed across the border who could be addressed on the subject with prospect of reasonable success. Later, however, His Majesty King Ibn Sa'ud remedied the matter by appointing strong frontier representatives, with headquarters at Hafar and Jariyah Ilya respectively, and matters greatly improved.

In February 1931 His Majesty King Ibn Sa'ud proposed to the Shaikh of Kuwait that all camel claims affecting both states which went back prior to February 1931 should be declared *madfun* ("buried") because an enormous number had accumulated as a result of the

h Dickson G-5 (1929-47) 1951 Mi 1 Kuwait
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484 462 way back to their tents. No one ever molests them, and it would go hard with a mere man who attempted to interfere with a bevy of these tribal lasses on the march.

Hukra tents are not pitched close together, but in ones and twos, 361 233 each in sight of a neighbour. This enables one tent dweller to come to the assistance of his neighbours all round him if necessary. The result is that large areas of desert country are dotted as far as the eye can see with little specks of two or three or even one black tent. The above method of scattering widely is in vogue only if peace reigns in the land. It is healthy, sheep are not crowded together, and grazing is systematically gone over.

[123] Were there to be war, or even a rumour of war in the air, the shepherd tribes would either concentrate closer together by day and night, or make for home again.

221 233 The return to Iraq of the shepherd tribes takes place usually about the end of April or early in May when water becomes scarce and sheep have to get back to the Euphrates before the desert grazing dries up.

439 Just as they have made wool, butter, milk, mutton, etc., cheap in Kuwait, so with the money realised they take home rice, sugar, coffee, clothes for their women and girls, and presents for those who stayed behind. Their return home, therefore, though bad for Kuwait, is a joyous one for their relatives on the Euphrates.

651 648 431 To ensure good treatment for themselves in Kuwait and Sa'udi Arabia, the Hukra pay *khalkhal wa sunkhak*, consisting of gifts of young lambs, to the local Governor or Ruler, and they also pay *zakāt* voluntarily, if unrest is in the air and they want to receive serious protection from possible raiders. The Sa'udi Government officials are stern in the enforcement of *zakāt*, but the Shaikh of Kuwait, whose state derives benefit from the Iraq shepherds, always waives his right to it.

836 Kuwait is definitely the poorer for the annual departure of the Hukra, and their return the following year is always looked forward to by the majority of the people. Not the least to be missed are the merry laughing faces of these daughters of the Muntafiq on the Jahrah–Kuwait road, who joke with everybody and miss no opportunity of displaying pretty eyes and dainty tattoo-covered chins and